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9 [See signature page for the complete list  
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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 OAKLAND DIVISION

13 COMMONWEALTH OF MASSACHUSETTS;  
14 PEOPLE OF THE STATE OF CALIFORNIA ex rel.  
Xavier Becerra, Attorney General of California; STATE  
15 OF COLORADO; STATE OF CONNECTICUT; STATE  
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16 OF HAWAII; PEOPLE OF THE STATE OF ILLINOIS;  
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17 ATTORNEY GENERAL DANA NESSEL on behalf of  
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18 MINNESOTA by and through Attorney General Keith  
Ellison; STATE OF NEVADA; STATE OF NEW  
19 JERSEY; STATE OF NEW MEXICO; STATE OF NEW  
YORK; STATE OF NORTH CAROLINA ex rel.  
20 Attorney General Joshua H. Stein; STATE OF  
OREGON; COMMONWEALTH OF  
21 PENNSYLVANIA; STATE OF RHODE ISLAND;  
STATE OF VERMONT; COMMONWEALTH OF  
22 VIRGINIA ex rel. Attorney General Mark R. Herring;  
STATE OF WISCONSIN,

23 Plaintiffs,

24 v.

25 BETSY DEVOS, in her official capacity as Secretary of  
26 Education; and UNITED STATES DEPARTMENT  
OF EDUCATION,

27 Defendants.  
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CASE NO. 4:20-cv-04717 SBA

**JOINT STIPULATION TO SET  
BRIEFING SCHEDULE, VACATE THE  
JOINT CASE MANAGEMENT  
STATEMENT AND CASE  
MANAGEMENT CONFERENCE, AND  
~~PROPOSED~~ ORDER**

Current Case Management Conference  
Date: October 15, 2020  
Time: 2:30 pm  
Place: Oakland Courthouse, 1301 Clay St.  
Oakland, CA 9461, or by telephonic or  
video conference means per  
General Order 72-6  
Judge: Hon. Sandra Brown Armstrong

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2 **INTRODUCTION**

3 The Plaintiffs and Defendants (collectively, the “Parties”) jointly submit this stipulated  
4 briefing schedule. Additionally, Pursuant to Civil Local Rules 6-2(a) and 7-12, and subject to  
5 the Court’s approval, the Parties request that the Court vacate the Case Management Statement  
6 due October 8, 2020 and the Initial Case Management Conference set for October 15, 2020 until  
7 after the Court has ruled on Defendants’ Motion to Dismiss For Lack of Standing (Dkt. No. 61).  
8 Vacating the Case Management Statement and Initial Case Management Conference will allow  
9 for the Parties to complete briefing and for the Court to rule on the threshold issue of standing,  
10 before undertaking the Initial Case Management Conference. This is the first request to modify  
11 the schedule in this case, and this request will not impact any deadlines other than those  
12 addressed herein.

13 **JOINT STIPULATION FOR BRIEFING**

14 WHEREAS, the Parties wish to set a plan for briefing Defendants’ Motion to Dismiss for  
15 Lack of Standing (Dkt. No. 61);

16 NOW, THEREFORE, it is hereby STIPULATED and AGREED between Plaintiffs and  
17 Defendants:

18

Stipulated Schedule	
Event	Deadline
Joint Case Management Statement	Vacated
Initial Case Management Conference	Vacated
Plaintiffs’ Response In Opposition To Defendants’ Motion To Dismiss	Friday, November 20, 2020
Defendants’ Reply In Support to Plaintiffs’ Response In Opposition	Friday, January 8, 2021
Hearing Date, subject to the Court’s approval	Wednesday, February 10, 2021 at 2:00pm

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1 DATED: September 29, 2020

Respectfully submitted

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4 United States Attorney

5 By: /s/ J. Wesley Samples  
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1 *\* In compliance with Civil Local Rule 5-1(i)(3), the filer of this document attests under penalty*  
2 *of perjury that all signatories, by and through the counsel signing on behalf of the State of*  
3 *California, have concurred in the filing of this document.*  
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1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 OAKLAND DIVISION

4 COMMONWEALTH OF MASSACHUSETTS;  
5 PEOPLE OF THE STATE OF CALIFORNIA ex rel.  
6 Xavier Becerra, Attorney General of California; STATE  
7 OF COLORADO; STATE OF CONNECTICUT; STATE  
8 OF DELAWARE; DISTRICT OF COLUMBIA; STATE  
9 OF HAWAII; PEOPLE OF THE STATE OF ILLINOIS;  
10 STATE OF MAINE; STATE OF MARYLAND;  
11 ATTORNEY GENERAL DANA NESSEL on behalf of  
12 the PEOPLE OF MICHIGAN; STATE OF  
13 MINNESOTA by and through Attorney General Keith  
14 Ellison; STATE OF NEVADA; STATE OF NEW  
15 JERSEY; STATE OF NEW MEXICO; STATE OF NEW  
16 YORK; STATE OF NORTH CAROLINA ex rel.  
17 Attorney General Joshua H. Stein; STATE OF  
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20 STATE OF VERMONT; COMMONWEALTH OF  
21 VIRGINIA ex rel. Attorney General Mark R. Herring;  
22 STATE OF WISCONSIN,

23 Plaintiffs,

24 v.

25 BETSY DEVOS, in her official capacity as Secretary of  
26 Education; and UNITED STATES DEPARTMENT  
27 OF EDUCATION,

28 Defendants.

CASE NO. 4:20-cv-04717 SBA

~~PROPOSED~~ ORDER ADOPTING  
STIPULATED SCHEDULE

Motion Hearing

Date: Wed., Feb. 10, 2021

Time: 2:00 pm

Place: Oakland Courthouse, 1301 Clay St.  
Oakland, CA 9461, or by telephonic or  
video conference means per

General Order 72-6

Judge: Hon. Saundra Brown Armstrong

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATE: September 29, 2020

  
The Honorable Saundra Brown Armstrong  
United States District Judge